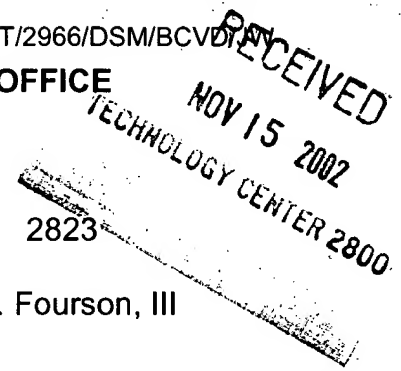




PATENT

AMAT/ AMAT/2966/DSM/BCVD/AM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:
Rathi, et al

Serial No.: 09/165,248

Confirmation No.: 7619

Filed: October 1, 1998

For: A Silicon Carbide Deposition for Use
as a Barrier Layer and an Etch Stop

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Group Art Unit: 2823

Examiner: G. R. Fourson, III

BOX AF
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING	
37 CFR 1.8	
I hereby certify that this correspondence is being deposited on	
<u>11/05</u> , 2002 with the United States Postal Service as	
First Class Mail in an envelope addressed to: Box AF,	
Commissioner for Patents, Washington, D.C. 20231.	
<u>11/05/02</u>	<u>Keith M. Tackett</u>
Date	Signature

RULE 131 DECLARATION OF KEITH M. TACKETT

I, Keith M.Tackett, declare as follows:

1. That I am an attorney designated under a Power of Attorney to prosecute the present application and that I am familiar with the attached copy of the Combined Declaration and Power of Attorney;
2. That the written disclosure of the present application describes an invention that was conceived prior to or on September 25, 1998, the filing date of Zhao (U.S. patent No. 6,071,809);
3. That evidence of the conception is attached as Exhibit A, which is a true and correct copy of a Combined Declaration and Power of Attorney for the present application that was signed on or before September 25, 1998;

4. That rejected claims 15-22 define embodiments that were conceived prior to or on September 25, 1998, and included in the written specification filed on October 1, 1998, as evidenced by Exhibit A;

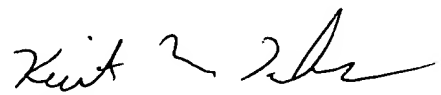
5. That the subject matter of claims 15-22 was diligently pursued by Applicants from a time starting before or on September 25, 1998, until filing of the written specification on October 1, 1998, or any earlier actual reduction to practice;

6. That further documents and supporting statements would be redundant absent identification of specific issues.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

11/5/02



Keith M. Tackett

APPENDIX A

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
☐ divisional
☐ continuation
☐ continuation-in-part

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

A SILICON CARBIDE DEPOSITION FOR USE AS A BARRIER LAYER
AND AN ETCH STOP

SPECIFICATION IDENTIFICATION

The specification of which:

- ☒ filed herewith;
☐ was filed on _____, under Serial No. _____, executed on even date herewith; or
☒ Express Mail No. EL171400830US (Serial No. not yet known) and was amended on _____ (if applicable)
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

[X] In accordance with this duty there is attached Information Disclosure Statement in accordance with 37 CFR §1.98.

PRIORITY CLAIM (35 U.S.C. §119)

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

[X] No such applications have been filed.

[] Such applications have been filed as follows:

A. Prior foreign/PCT application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. §119

<u>Country/PCT</u>	<u>Application No</u>	<u>Date Filed</u>	<u>Priority Claimed</u>
			[] Yes [] No
			[] Yes [] No
			[] Yes [] No

B. All foreign application(s), if any, filed more than 12 mos. (6 mos. for design) prior to this U.S. application

Country:
Application No:
Filing date:

PRIORITY CLAIM (35 U.S.C. §120)

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that is material to the examination of this application (namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

- [] No applications have been filed
[] Such application have been filed, as follows:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Status</u>		
		<u>Patented</u>	<u>Pending</u>	<u>Abandoned</u>

POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Michael L. Sherrard	Registration No. 28,041
Peter J. Sgarbossa	Registration No. 25,610
Donald Verplancken	Registration No. 33,217
Lawrence Edelman	Registration No. 25,226
Michael B. Einschlag	Registration No. 29,301
Raymond Kam-On Kwong	Registration No. 37,165
James C. Wilson	Registration No. 35,412
John R. Schiffhauer	Registration No. 32,170
B. Todd Patterson	Registration No. 37,906
Keith M. Tackett	Registration No. 32,008
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Patent Counsel
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P. O. Box 450-A
Santa Clara, CA 95052

Direct telephone calls to:

B. Todd Patterson
PATTERSON & ASSOCIATES
(713) 623-4844

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of sole inventor: SUDHA RATHI

Inventor's signature: *Sudha* Date: 9/25/98
Residence: 2748 WESTBERRY DRIVE
Post Office Address: SAN JOSE, CA 95132
U.S.A.

Country of Citizenship:

Full name of second inventor: PING XU

Inventor's signature: *Ping Xu* Date: 9/25/98
Residence: CUPERTINO, CA 95014
Post Office Address: 10289 BRITTANY COURT
U.S.A.

Country of Citizenship:

Full name of third inventor: CHRISTOPHER BENCHER

Inventor's signature: *Ch Bencher* Date: 9/25/98
Residence: 977-2 ASILOMAR TERRACE
Post Office Address: SUNNYVALE CA 94086
U.S.A.

Country of Citizenship:

Full name of fourth inventor: JUDY HUANG

Inventor's signature: *Judy Huang* Date: Sep 25, 1998
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Post Office Address: 16788 LEROY AVE.
U.S.A.

Country of Citizenship:

Full name of fifth inventor: KEGANG HUANG

Inventor's signature: _____ Date: _____
Residence: 44100 PACKARD COURT
Post Office Address: FREMONT CA 94539
U.S.A.

Country of Citizenship:

Full name of **sixth** inventor: CHRIS NGAI

Inventor's signature: _____

Date: _____

Residence:

2606 SUMIT DRIVE

Post Office Address: BURLINGAME, CA 94010

U.S.A.

Country of Citizenship: _____

(Declaration ends with this page)

A:\Declaration.POA.DOC